

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2018-148-C

IN RE:)
)
Petition of the South Carolina Office of)
Regulatory Staff for the Commission to)
Order a Rule to Show Cause as to Why)
The Certificates of Public Convenience)
and Necessity for Certain Providers of the)
Telecommunications Services Should Not)
Be Revoked)
_____)

ANSWER OF XO
COMMUNICATIONS, INC.

Pursuant to 10 S.C. Code Regs. 103-826 (2012), Respondent XO Communications, Inc. (“XO” or “the Company”) hereby submits its Answer to the Petition of the Office of Regulatory Staff (“ORS”) to the Public Service Commission of South Carolina (“Commission”) in the above-referenced docket:

- (1) The Company admits the allegations of paragraphs 1-17 of the Petition. By way of explanation, XO would show that its failure to remit the Gross Receipts Fees was due to inadvertence on its part and unintentional.
- (2) The Company has now remitted the unpaid Gross Receipts Fees, plus any applicable penalties or interest, to the South Carolina Department of Revenue and has provided proof of same to ORS. Attached hereto and incorporated herein by reference as XO Answer Exhibit 1 is documentation reflecting such proof.

- (3) The Company is informed and believes that ORS intends at hearing in this matter to remove XO's name from the list of entities set out in Petition Exhibit A from which ORS seeks relief in this docket. To the extent that ORS does not do so, XO respectfully requests that any relief be denied as to the Company based upon the written documentation attached as Answer Exhibit 1 and that it be excused from further participation in this docket.
- (4) Because XO is in compliance with its obligations as set out in the Petition, the Petition should be dismissed as to it, its Certificate of Public Convenience and Necessity should not be cancelled, and it should be allowed to continue exercising the rights and privileges authorized to it thereunder.

WHEREFORE, having fully answered, XO requests that the Petition be denied as to the Company and that it be dismissed as a party of record from this proceeding.

Respectfully submitted,

s/John M.S. Hoefer

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